



WISCONSIN REGULATORY DIGEST

A Publication of the HEARING AND SPEECH EXAMINING BOARD

Volume 11, No. 1

February, 1999

Governor Tommy Thompson Appoints New Board Member

Recently appointed to the Hearing and Speech Examining Board was Judith I. Kulpa, MS-CCC/SLP, who will serve as the speech-language pathologist on the board. Ms. Kulpa brings 28 years of professional experience, with expertise in adult communication and swallowing disorders. She is currently employed as a speech-language pathologist in the Center for Communication and Swallowing Disorders, Dept. of Otolaryngology and Communication Sciences, Medical College of Wisconsin in Milwaukee.

HEARING AND SPEECH EXAMINING BOARD

Members of the Board:

James C. Ogurek, Chair (Wausau)
Gerard L. Kupperman, Vice-Chair (Oconomowoc)
William Simic, Jr., M.D., Secretary (Woodruff)
Mae Cash (Sun Prairie)
Joseph M. Hulwi (Eau Claire)
Judith I. Kulpa (Wauwatosa)
John L. McEwen (Rothschild)
Michael K. Thelen (Appleton)

Administrative Staff:

Patrick D. Braatz, Division Administrator

Executive Staff:

Marlene A. Cummings, Secretary
June Suhling, Deputy Secretary
Myra Shelton, Executive Assistant

Ms. Kulpa currently provides evaluation and treatment to persons with swallowing, voice, upper airway, speech, resonance, language and

cognitive changes related to otolaryngologic, neurogenic and psychogenic disorders. Populations can include persons with dysphagia, spasmodic dysphonia, professional voice use such as singers, head and neck cancer, skull base tumors, dementia, stroke, degenerative diseases such as ALS and Parkinson's, paradoxical vocal fold dysfunction and conversion disorders. Her scope of practice includes use of computer analysis of voice and speech, videostroboscopy, oromotor force measurement, respiratory system measurement, videofluoroscopy and video-endoscopy.

Ms. Kulpa received her master of science degree in Speech Pathology from Marquette University in 1970. Her professional work background included positions as Director of Rehabilitation Services, Director-Geriatric Health Care Center and Assistant Vice President - Specialty Services for a Milwaukee hospital and extended care facility. She is a former president of the Wisconsin Speech-Language-Hearing Association, Inc. (WSHA) and former chair of the Committee on Quality Improvement for the

Contents:

Governor Appoints Board Member	1
Board Member Roster	1
Governor Appoints Council Member	2
Use of AuD Designator	2
Legislation Update	3
Telephone Directory and Miscellaneous	4
American Speech-Language-Hearing Association (ASHA). Ms. Kulpa has provided numerous lectures, presentations and	

publications on dysphagia, voice disorders, dementia and quality assurance/improvement. She is licensed as a speech-language pathologist in the State of Wisconsin and is certified through ASHA.

Governor Thompson Appoints Ms. Workinger to the Council on Speech-Language Pathology and Audiology

Marilyn Seif Workinger, Ph.D. is the Head of the Section of Speech-Language Pathology at the Marshfield Clinic in Marshfield, Wisconsin. Her academic training was accomplished at the University of Wisconsin-Madison. Her primary clinical, research and teaching interests are with patients with neurologically based disorders of speech. She is currently the representative of the American Speech-Language-Hearing Association to the American Medical Association's Health Care Professionals Advisory Committee to the CPT Editorial Panel. She has served in this capacity for several years and was active in revision of CPT codes for speech-language pathologists and audiologists.

Issues Relating to the Use of the AuD Designator

At the March 2 and June 8, 1998 meetings of the Hearing and Speech Examining Board, the Doctor of Audiology (AuD) terminology was reviewed. The Board agreed that an individual who earns the AuD from an accredited university would not be performing a false, misleading or deceptive act if that person used the term "Dr." or "AuD" in advertising or in verbal statements. The Board also reviewed the nature of the AuD degree in relation to current requirement for audiology licensure. When a candidate for the audiology license who holds an AuD degree from an accredited university seeks to meet the master's degree requirement by means of equivalency, the Board shall review that application on an individual basis.

The Board also discussed the use of the AuD designator when received solely by virtue of earned entitlement from the Audiology Foundation of America. The board agreed that the AuD designator may be used only with the accompaniment of full disclosure as to how the designation was obtained. Individuals wishing to use the AuD title are cautioned to use

extreme care in their written statements. A statement clarifying the origin and nature of the AuD received by earned entitlement from the Audiology Foundation of America must accompany any advertising.

Review of "Three Day Right to Cancel Notice" Requirements

License holders who dispense hearing instruments away from their usual business establishment are subject to the terms and provisions of federal and state statutes that govern this activity. The consumer has a three business day period in which the purchase contract may be canceled for any reason. The seller must provide the consumer two copies of a form by which the consumer can notify the seller of the decision to cancel the purchase contract. The seller shall provide this form if the seller approaches the consumer by means of face-to-face solicitation or by telephone or written advertising. However, if the consumer makes the first mail or telephone contact and requests that the seller visit the consumer at the consumer's place of residence, then the "three day right to cancel notice" provision does not apply.

As provided in s.423.203, Wis. Stats., the notice must read as follows:

You may cancel this agreement by mailing a written notice to (insert name and mailing address of seller) before midnight of the third business day after you signed this agreement. If you wish, you may use this page as that notice by writing "I hereby cancel" and adding your name and address. A duplicate of this page is provided by the seller for your records.

For further information, contact the Wisconsin Consumer Act Section of the Wisconsin Department of Financial Institutions at (608) 264-7969.

Legislation Update

Access to Health Care Records

Wisconsin statute 146.83 concerning access to health care records has been amended by 1997 Wis. Act 157 to require that health care providers release records directly to a patient's health care provider upon request and with a statement of

informed consent. The law prohibits concealing or withholding health care records from a patient's health care provider or to prevent or obstruct an investigation or prosecution. Violations of the statute include actual damages and exemplary damages along with injunctive relief. This Act was effective in April 1998. Copies of the law are available from the department or via internet at the <http://www.legis.state.wi.us/billtext/acts/97acts.html>.

Law Sanctions Professionals with Delinquent Support and Authorizes the Collection of Social Security Numbers

In April 1998, legislation was enacted which provides for suspension of credentials for failure to pay support or for failure to comply with a subpoena or warrant related to paternity or support proceedings. The determination of failure to pay support or failure to comply with a warrant or subpoena will be made by county support agencies or the Department of Workforce Development.

The Department of Workforce Development, after proper notice and provision for hearing, will certify to the Department of Regulation and Licensing that a professional who holds a credential issued by the department, or who is applying for a credential is delinquent in support or has failed to comply with a subpoena or warrant. The department then shall restrict, limit or suspend a credential or deny an application for an initial credential or for renewal of a credential. The credentials will remain restricted, limited or suspended until the department receives notification of release from the Department of Workforce Development. However, credentials shall not be sanctioned for more than five years if instituted because of delinquency in support, or for more than six months if instituted for failure to comply with a subpoena or warrant. This act became effective in April 1998.

The new family support collection act requires the Department of Regulation and Licensing to collect social security numbers from all individuals who apply for new credentials. Applications from individuals who do not submit their social security number will be denied. The social security numbers collected

may be disclosed only to the Department of Workforce Development for the purpose of enforcing the Family Support Collection Act, or to the Department of Revenue for the purpose of checking for tax delinquencies.

The new law, 1997 Wisconsin Act 191, is available in most public libraries and can be viewed on the Internet at <http://www.legis.state.wi.us/billtext/acts/97acts.html>.

Administrative Warnings May be Issued Under New Law

Examining boards, the department and other regulatory authorities are authorized to issue administrative warnings under a new law effective May 5, 1998. An administrative warning may be issued to close an investigation if a regulatory authority determines that no further action is warranted because the complaint involves a first occurrence of a minor violation and the warning adequately protects the public.

Under the law, an administrative warning puts the professional on notice that if the misconduct is repeated, the incident that was the basis for the warning can be used to prove that the person warned knew the conduct was prohibited. A warning is not discipline and may be issued without a formal complaint or a hearing.

A credential holder may have a warning reviewed before the department or board that issued the warning. The Act requires the department to promulgate rules establishing uniform procedures for administrative warnings. 1997 Wisconsin Act 139 is available from the department and can be viewed on the Internet at <http://www.legis.state.wi.us/billtext/acts/97acts.html>.

Department of Regulation and Licensing
Hearing and Speech Examining Board
P.O. Box 8935
Madison, WI 53708-8935

REGULATORY DIGEST

Bulk Rate
U.S. Postage
Paid
Madison, WI
Permit No. 1369

RETURN SERVICE REQUESTED

Telephones

Automated Phone System for the Health Professions: (608) 266-2811

Press 1 **Request Application**

Press 2 **Status of a Pending Application**

Press 3 **Complaint Filing Information**

Press 4 **Verifying Current Status of a Credential Holder**

Press 5 **Name or Address Change
Need a Duplicate License**

Request a Letter of Good Standing

Press 6 **Repeat Menu Choices**

Fax Number (608) 261-7083

Verifications

All requests for verification of license status must be in writing. There is no charge for this service.

Endorsements

Requests for endorsements to other states must be in writing. The cost is \$10. Please make check or money order payable to the Department of Regulation and Licensing.

Digest on Web Site

November, 1997 and June, 1998

Visit the Department's Web Site

<http://badger.state.wi.us/agencies/drl/>
Send comments to dorl@mail.state.wi.us

1999 Board Meeting Dates

March 1, June 7, September 13, December 6.

Wisconsin Statutes and Code

Copies of the Hearing and Speech Examining Board Statutes and Administrative Code can be ordered from the Department. Include your name, address,

county and a check payable to the Department of Regulation and Licensing in the amount of \$5.28. The latest edition is dated September, 1997.

Change of Name or Address?

Please photocopy the mailing label of this digest, make changes in name or address, and return it to the Department. Confirmation of changes are not automatically provided.

WIS. STATS. S. 440.11 ALLOWS FOR A \$50 PENALTY TO BE IMPOSED WHEN CHANGES ARE NOT REPORTED WITHIN 30 DAYS.

Subscription Service

Bi-annual digest subscriptions are published for all credentials in the Department at a cost of \$2.11 each per year. **CREDENTIAL HOLDERS RECEIVE THEIR REGULATORY DIGEST FREE OF CHARGE.** Others may send the fee and this form to the address listed above.

Subscription Service Order Form

Name

Company/Organization

Street Address/P.O. Box

City/State/Zip + 4

County

Digest(s) desired:

G:\DIGEST\HAS299.DOC